

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ANDY KIM, in his personal capacity as a candidate for U.S. Senate, ANDY KIM FOR NEW JERSEY, SARAH SCHOENGOOD, SARAH FOR NEW JERSEY, CAROLYN RUSH and CAROLYN RUSH FOR CONGRESS;

Plaintiffs,

v.

CHRISTINE GIORDANO HANLON, in her official capacity as Monmouth County Clerk, et al.,

Defendants.

- and -

DALE A. CROSS, in his official capacity as Salem County Clerk, et al.

As Interested Parties.

Civ. Action. No.: 3:24-cv-1098 (ZNQ)(TJB)

**NOTICE OF CROSS-MOTION
TO DISMISS PURSUANT TO
FED. R. CIV. P. 12(b)(7) and 19**

To All Counsel of Record:

DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' COMPLAINT

Defendants Christopher J. Durkin, Joanne Rajoppi, and Danielle Ireland-Imhof, in their official capacity as County Clerks for Essex, Union, and Passaic Counties, respectively, by and through their undersigned attorneys, hereby cross-move to dismiss plaintiffs' Andy Kim, Andy Kim for New Jersey, Sarah Schoengood, Sarah for New Jersey, Carolyn Rush, and Carolyn Rush for Congress Complaint pursuant to Fed. R. Civ. P. 12(b)(7), for failure to join necessary and indispensable parties under Fed. R. Civ. P. 19. In support thereof, Defendants will rely upon their

Brief in Opposition to Plaintiffs' Motion for a Preliminary Injunction and in Support of Defendants' Cross-Motion to Dismiss.

Respectfully submitted,

Dated: March 7, 2024

GENOVA BURNS LLC

By: /s/ Jennifer Borek
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